

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KATHY SBERNA,	:	
	:	
Plaintiff,	:	
	:	20 Civ. 3840 (LGS)
-against-	:	
	:	
CAPITAL ONE BANK (USA), N.A., et al.,	:	<u>ORDER</u>
Defendants.	:	
-----X	:	

LORNA G. SCHOFIELD, District Judge:

WHEREAS the initial pretrial conference in this matter is scheduled for August 13, 2020 (Dkt. Nos. 3, 8);

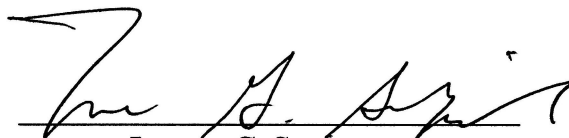
WHEREAS no significant issues were raised in the parties' joint letter or proposed case management plan (Dkt. Nos. 18, 19). It is hereby

ORDERED that the August 13, 2020, initial pretrial conference is **cancelled**. If the parties believe that a conference would nevertheless be useful, they should inform the Court immediately so the conference can be reinstated. The case management plan and scheduling order will issue in a separate order. The parties' attention is particularly directed to the provisions for periodic status letters, and the need for a pre-motion letter to avoid cancellation of the final conference and setting of a trial date. The parties should be aware that the Court does not extend the deadlines for fact and expert discovery absent compelling circumstances and that this order **does not** stay or prolong discovery for the purpose of settlement discussions. It is further

ORDERED that if Defendant(s) seek to file a motion to dismiss, they shall file a pre-motion letter pursuant to Individual Rules III.A.1 and III.C.2. It is further

ORDERED that the parties shall file a letter by **August 11, 2020**, stating whether they wish to be referred to the Magistrate Judge or Court-annexed Mediation Program for settlement discussions.

Dated: August 7, 2020
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE